



GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

JEREMIAH W. (JAY) NIXON
GOVERNOR

P.O. Box 720
(573) 751-3222

July 2, 2009

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for House Bill No. 89 entitled:

AN ACT

To repeal section 300.390 and 557.060, RSMo, and to enact in lieu thereof two new sections relating to traffic violations, with a penalty provision.

I disapprove of House Committee Substitute for House Bill No. 89. My reasons for disapproval are as follows:

House Committee Substitute for House Bill No. 89 purports to require that vehicles yield the right-of-way to all pedestrians and bicyclists crossing in an appropriate crosswalk on a city or neighborhood street. By its terms, the provision would only apply to the City of Kansas City.

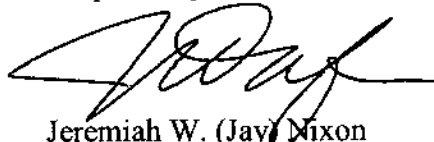
The bill's language is amended to a provision in Chapter 300, RSMo, which is also known as the Model Traffic Ordinance. The Model Traffic Ordinance is a template from which cities may adopt their own traffic ordinances. City specific provisions such as is contained in House Committee Substitute for House Bill No. 89 are inconsistent with the intent of this generic template and could cause confusion.

In addition, the provisions contained in Chapter 300, RSMo, have no legal effect unless adopted by the legislative body of a city. The City of Kansas City has not generally adopted the Model Traffic Ordinance and the statutory change contained in House Committee Substitute for House Bill No. 89 would not become applicable to the City of Kansas City through enactment of this bill. Rather, the City of Kansas City would need to adopt this language as an ordinance which the city can accomplish without approval of House Committee Substitute for House Bill No. 89.

This veto does not prohibit or otherwise preclude the City of Kansas City from adopting a traffic ordinance identical to the language contained in House Committee Substitute for House Bill No. 89.

In accordance with the above stated reason for disapproval, I am returning House Committee Substitute for House Bill No. 89 without my approval.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jay Nixon", written over the printed name.

Jeremiah W. (Jay) Nixon
Governor